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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/635,682

08/07/2003

Un-Jin Choi

1293.1860

1771

21171

7590

02/10/2005

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EXAMINER

BLOUTIN, MARK S

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/635,682	CHOI, UN-JIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mark Blouin	2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/2/04</u> . | 6) <input type="checkbox"/> Other: ____  |

**Detailed Action**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7 and 8 recite the limitation "... a coil spring, wherein the first and second elastic sections have different diameters..." in line 4. There is insufficient antecedent basis for this limitation in the claim. The first and second elastic sections are not defined.

3. Claims 4,6,13, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear to the Examiner how "... at least one cavity in the body forms the third elastic section." Further definition of the third elastic section is requested.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hagitani (JP 2001-160272).
6. Regarding Claims 1-3,9-12, and 16-18, Hagitani shows (Figs. 8 and 9), an optical disc drive comprising an optical pickup unit (10) accessing a rotating optical disc, an optical pickup unit feeding apparatus (11) moving the optical pickup unit in a radial direction of the optical disc

by rotation of a lead screw with a spiral groove (13,13a), wherein the optical pickup unit feeding apparatus comprises a guide member combined with an optical pickup unit, the guide member (30) comprising one or more contact parts (31) engaging the spiral groove formed on the lead screw, applying a force to the optical pickup unit in response to the rotation of the lead screw, wherein the force moves the optical pickup unit, and an elastic member (42) comprising a first elastic section (tip of 42 contacting part 11) elastically engaging the contact parts, and a second elastic section (arm of part 42) forcing the contact parts not to separate from the spiral groove, wherein a spring constant of the second elastic section is greater than a spring constant of the first elastic section (the second elastic section displaces farther than the first elastic section), where the elastic member is a viscoelastic material having a damping characteristic (inherent).

7. Regarding Claims 4-6 and 13-15, Hagitani shows (Figs. 8 and 9) the optical pickup unit feeding apparatus, wherein the elastic member further comprises a third elastic section (gap between arm of part 42 and 41), wherein an elastic force is reduced when a displacement of the elastic member in the second elastic section separates the contact parts from the spiral groove, wherein the elastic member comprises a body forming the second elastic section, at least one protrusion from the body forming the first elastic section, and at least one cavity (gap between arm of part 42 and 41), in the body forming the third elastic section, wherein the elastic member is a viscoelastic material having a damping characteristic (inherent).

8. Regarding Claims 7 and 8, Hagitani shows (Fig. 4) the optical pickup unit feeding apparatus, wherein the elastic member is a coil spring (33), wherein the first and second elastic sections have different diameters (diameter of coil and diameter of wire, respectively), and a spring constant of the coil spring is inversely proportional (inherent) to the diameter thereof,

Art Unit: 2653

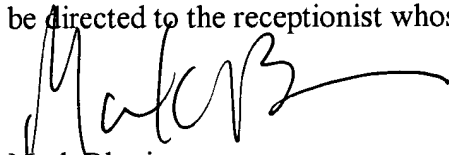
wherein a diameter of the first elastic section is greater than a diameter of the second elastic section.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (703) 305-5629. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Mark Blouin  
Patent Examiner  
Art Unit 2653  
February 7, 2005

A. J. HEINZ  
PRIMARY EXAMINER  
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